

Complaint Form
FD-71 (Rev. 3-27-95)

NOTE: Hand print names legibly; handwriting satisfactory for remainder.

Indices: ☐ Negative ☒ See below

Subject's name and aliases UNSUB;				Character of case 288-			
				Complainant <input type="checkbox"/> Protect Source <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>			
				Complaint received <input type="checkbox"/> Personal <input checked="" type="checkbox"/> Telephonic Date <u>03/29/1999</u> Time <u>6:00PM</u>			
Address of Subject				Complainant's address and telephone number (H) <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> (W)			
				Complainant's DOB			Sex M
Subject's Description	Race	<input type="checkbox"/> Male	Height	Hair	Build	Birth date and birth place	
	Age	<input type="checkbox"/> Female	Weight	Eyes	Complexion	Social Security Number	
	Scars, marks and other data						
Employer		Address				Telephone	
Vehicle Description							
Facts of Complaint [redacted] advised he has been contacted by two reporters, one from "Wired Web" (name not provided) and Jim Bruner, "Seattle Times" who interviewed and advised that the computer virus "Melissa" is believed to have originated with him. [redacted] has an AOL account for his home computer, [redacted] and believes someone hacked into it creating a web site. [redacted] work is that of a [redacted] and he has a hobby as a Washington State [redacted]. He advised he had nothing to do with the virus and is concerned about his reputation because of it. He wanted to know if the FBI was working on this case and is eager to talk with someone about it. He provided his home telephone as [redacted] and work phone as [redacted]. A check of UNI revealed a reference to a [redacted] [redacted]							
Reason: 09				O \$ A			
SAS [redacted]		by) [redacted]					
<div style="border: 1px solid black; padding: 5px; display: inline-block;">Do not write in this space.</div> <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-top: 10px;">MAR 30 1999</div> <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-top: 10px;">BLOCK STAMP</div>							

b6
b7C

b6
b7C

b3
b6
b7C
b7E

089KLB. 71

(File No.) _____

[illegible]

Indices: ☒ Negative ☐ See below

Indices: ☒ Negative ☐ See below

Subject's name and aliases UNSUB; MELISSA VIRUS				Character of case CITA			
Complainant <input type="checkbox"/> Protect Source <input checked="" type="checkbox"/>				Complaint received <input type="checkbox"/> Personal <input checked="" type="checkbox"/> Telephonic Date <u>3/30/99</u> Time <u>6:30P</u>			
Address of Subject				Complainant's address and telephone number (Home) _____ (Work) _____ Complainant's DOB _____ Sex <u>F</u>			
Subject's Description	Race	<input type="checkbox"/> Male	Height	Hair	Build	Birth date and birth place	
	Age	<input checked="" type="checkbox"/> Female	Weight	Eyes	Complexion	Social Security Number	
	Scars, marks and other data						
Employer _____ Address _____				Telephone _____ Monday-Thursday 6:30a-5:00p			
Vehicle Description							
<p>Facts of Complaint</p> <p>C advised she works in the _____ library & one of their computers has been affected w/the Melissa virus. C said two suspicious incidents have occurred that may be important, the first about 3/18/99 when she unlocked the library before it officially opened & found two men inside. One individual was _____ who previously worked in cataloging & the other, _____ works in the _____ & has advised her he has allowed _____ to live with him & _____ is a hacker, intelligent & into pornography. C went to _____ who was playing chess on one of the Internet computers, to determine how he gained entry & found him defensive & unwilling to leave, which he finally did. On Thurs 3/25/99, as C was walking toward the library, she saw another man about _____ coming out of the library. This individual is not a professor or student & when asked how he got into the library said 'the red-headed custodian let him in'. He pointed to bldgs outside the library & offered that he worked in one of them. C does not know how these individuals are gaining access to the library during hours when it is locked & thought these incidents might be connected to 'Melissa'.</p> <p>SAS _____ (Complaint received by)</p>							

b6
b7C

b6
b7C

b6
b7C

b3
b6
b7C
b7E

090K1601.71

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 04/01/99

[redacted]
[redacted] was
contacted at his place of employment [redacted]
[redacted]
[redacted]

b6
b7C

[redacted] After being advised of the identity of the interviewing agents and the nature of the interview, he provided the following information:

[redacted] has retained an attorney, [redacted]
[redacted]
[redacted] was asked if he wanted his attorney to be present during the interview. He replied, "no, it was not necessary." [redacted] retained an attorney because of all the publicity surrounding his name. [redacted] wanted to discuss the case with the Federal Bureau of Investigation (FBI) to attempt to clear his name. [redacted] does own the account [redacted] but had nothing to do with the Melissa virus. [redacted] has absolutely nothing to hide and wishes to cooperate.

b6
b7C

His home address is [redacted]
[redacted]
[redacted]

b6
b7C

[redacted] His wife has access to his America On-Line (AOL) account and knows the password. Just recently, the log-on was set up so that it was not necessary to enter the password. His children have access, but only when supervised. Occasionally, his children surf the Disney Channel. With the exception of his wife's purchases of Beanie Babies and books on the Internet, no other purchases have been made over the Internet, nor have they shared their password with anyone. They use one credit card for the billing of their AOL account and for occasional purchases.

His computer at home is an AST, the model is known as Adventure, it originally contained a Pentium 75. Approximately one year ago he brought it to CompUSA in [redacted] and had a chip doubler installed making it 150. It has a modem -

b6
b7C

Investigation on 04/01/1999 at Seattle, Washington

File #

[redacted]

Date dictated

04/01/1999

by

SA [redacted]
SA [redacted]

MMM:mmm

SEARCHED	INDEXED
SERIALIZED	FILED
APR 10 6 1999	
FBI-SEATTLE	

b3
b6
b7C
b7E

[redacted]

b3
b6
b7C
b7E

Continuation of FD-302 of [redacted], On 04/01/1999, Page 2

14.4 megahertz and 16 megabits of random access memory (RAM). It contains the Windows 95 Office Suite software package. [redacted] still has the original package. [redacted] is comfortable using Word and Excel.

[redacted] currently works for [redacted] as a [redacted]. He is a Washington State licensed [redacted]

b6
b7C

[redacted] has another e-mail account with his employer, [redacted]. His e-mail account at work is used predominantly for inter-office purposes. There have been a few times when he has sent his wife quick e-mails regarding dinner and after school activities. [redacted] has never accessed either his AOL account or his account at work remotely. He added, he did not think he could access his accounts remotely.

[redacted] uses his AOL account solely for sending e-mails and surfing the Web. He does not visit any pornographic sites and has never participated in Internet Relay Chat (IRC). The account is still active, and he has not changed the password. The password is [redacted] plans on canceling his AOL account as soon as the investigation is complete. [redacted] does not currently have/nor did he ever create a website. He attempted to create a website or homepage awhile back, but his attempts were unsuccessful. [redacted] has not participated in on-line Newsgroups. He had particular interest in the Newsgroup [redacted] but was unable to figure out how to sign on. [redacted] deletes any junk mail that he receives. He occasionally receives pieces of mail that he cannot discern. [redacted] referenced "alt" as being attached to some incoming e-mails. He believes it is typical to receive junk mail. He receives junk mail predominantly at his [redacted] account.

b6
b7C

b3
b6
b7C
b7E

Continuation of FD-302 of [REDACTED], On 04/01/1999, Page 3

[REDACTED]

In assessing his computer proficiency, [REDACTED] admitted knowing the "basics." He declared himself to be a novice. [REDACTED] works in Word and Excel, but does not know how to program. [REDACTED] took college courses in BASIC and Fortran computer languages. He employs a computer aided tool known as AutoCAD at work to help him draft engineering plans. It is self-contained software and requires no programming on his part. He compared it to Correl Draw. [REDACTED] obtained an Associates Degree in [REDACTED] from [REDACTED]

b6
b7C

[REDACTED] commented that the fact that someone broke into his AOL account and used his name to send this virus out was very distressing. His company was victimized by the virus as well. System engineers of his company worked to resolve the problem for hours on Friday, March 26, 1999.

A chronology of events was described as follows:
[REDACTED] first heard of his AOL address being tied to the virus on March 29, 1999 at approximately 10:00 a.m. Polly Sprenger of Wired News called him to inquire about the "hack." [REDACTED] was shocked and cannot recall much of the conversation. He recalled hearing about the Melissa virus while driving to Idaho. He went to Idaho to visit a friend for the weekend. After thinking about the phone call, he was bothered by the fact that Sprenger had obtained his home phone number. He realized his information was most likely all over the Web. [REDACTED] maintained someone else made it look like the virus originated from him but that he had nothing to do with it and was not responsible for it.

b6
b7C

[REDACTED] then contacted AOL via e-mail and stated that he is [REDACTED] but that he did not create or distribute the Melissa virus. AOL sent back an e-mail explaining how to remove the virus. He sent back a reply stating again that he was not responsible for the virus and wanted to know how to go about clearing his name. He was then referred to AOL's legal group, where he was told it was under investigation. [REDACTED] believes he has copies of the e-mails and will forward to Special Agent (SA) [REDACTED] Upon arriving home on Monday at approximately 6:00 p.m., he saw the news media on his front lawn. He then realized it was serious. He became very concerned and worried on how he

b6
b7C

b3
b6
b7C
b7E

Continuation of FD-302 of [REDACTED], On 04/01/1999, Page 4

[REDACTED] could prove he had nothing to do with it. [REDACTED] immediately contacted the FBI at approximately 6:30 p.m. to lodge a complaint. He then called Channel 4 at approximately 7:00 p.m. to get his name out there and proclaim he had nothing to do with it. Channel 4 came to his home at approximately 8:00 p.m. and interviewed him. ZD.net contacted him and told him it looked similar to a virus which occurred in 1997. He continues to be contacted by the media. He recently was asked to fly to New York to appear on Good Morning America. He has not yet decided if he will go.

[REDACTED] normally receives two e-mails on average a day with his [REDACTED] account. He is currently receiving hundreds of e-mails, some congratulating him, others attacking and threatening him, and some other probing for information. [REDACTED] has had his AOL account since late 1995 or early 1996. At the time he was working at [REDACTED]

b6
b7C

[REDACTED] He never noticed anything unusual in regard to his account other than the junk mail mentioned earlier.

[REDACTED] does not know anyone who would do this to him. He could not reference anyone who would be angered at him. [REDACTED] never gave out his password. The only person with knowledge of his password is his wife. He brought his computer to COMPUSA in [REDACTED] Washington twice, early 1997 and about one year ago to install the chip doubler. He also had it serviced at Ballard Computer, [REDACTED] Washington once in 1996 for an upgrade of some sort. He cannot recall the specific dates, names of the employees who serviced his machine, or specifics of what he had done. [REDACTED] has a friend, [REDACTED] who serviced his computer several times for reasons such as: reconfiguring Windows and various games because of incompatibility issues, changing the resolution, and adjusting the speaker. [REDACTED] works at [REDACTED] a computer graphics company. [REDACTED] also contacted AOL service representatives over the telephone to walk him through the installation of the AOL Internet software.

b6
b7C

[REDACTED]

Continuation of FD-302 of [REDACTED], On 04/01/1999, Page 5

[REDACTED] remarked he is willing to assist the FBI in any way possible. He was asked to keep the interview confidential, but that he could certainly discuss it with his attorney. When asked if he would be willing to submit to a polygraph examination, he replied, yes, he would in order to prove that he is telling the truth."

b3
b6
b7C
b7E

In Reply, Please Refer to

File No. b3
b7E

FBI CASE STATUS FORM

Date: 03/01/2000

To: U. S. Attorney, Katrina Pflaumer, 601 USA Union St Seattle, WA
(Name and Address of USA)From: SAC Charles E. Mandigo
(Name of Official in Charge and Field Division) (Signature of Official in Charge)RE: (Name of Subject) (Age) (Sex)b6
b7CYou are hereby advised of action authorized by AUSA
(Name of USA or AUSA)on information submitted by Special Agent SA on 03/01/2000
(Name) (Date)

(Check One)

- ☐ Request further investigation
- ☒ Immediate declination
- ☐ Filing of complaint
- ☐ Presentation to Federal Grand Jury
- ☐ Filing of information
- ☐ Other

For violation of Title 18, USC, Section(s) 1030

Synopsis of case:

Subject David Smith was arrested on 4/1/99 by New Jersey State Police, pursuant to a state of New Jersey arrest warrant. Smith was charged with second degree offenses of interruption of public communication, conspiracy to commit the offense, third degree theft of computer service, and third degree damage or wrongful access to computer systems realting to the propagation of the computer virus known as "Melissa". Smith hijacked the AOL account, of Washington state resident was cleared early in the investigation and cooperated fully with the Seattle Division. AUSA Seattle, declined prosecution on this matter since subject Smith is being prosecuted by state and federal authorities in New Jersey.

b6
b7C

CS
DUN

b3
b7E

[redacted] plead guilty in December-1999.

I: [redacted] 061mmm03.320

1 - Addressee

1 - AUSA [redacted]

2 - Seattle [redacted] (SA [redacted])

MMM/mmm

(4)

b3
b6
b7C
b7E

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/20/2001

To: Seattle

From: Seattle

Squad 11

Contact: [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

ljs

Case ID #: [REDACTED]

(Closed)

(Pending)

Title: UNSUBS

MELISSA VIRUS

[REDACTED] - VICTIM

Synopsis: To claim appropriate accomplishment statistics.

Details: This communication serves to document accomplishments associated with the above captioned case that were captured from 3/31/1999 to 3/3/2000.

b3
b6
b7C
b7E

[REDACTED]	
SEARCHED	INDEXED
SERIALIZED	FILED
APR 23 2001	
FBI SEATTLE	

b3
b7E

To: Seattle From: Seattle
Re: [REDACTED] 03/20/2001

b3
b7E

Accomplishment Information:

Number: 1
Type: NIPCIP COMPROMISED SITE IDENTIFIED AND NOTIFIED
ITU: NIPCIP
Claimed By:
SSN: [REDACTED]
Name: [REDACTED]
Squad: Squad 11

Number: 1
Type: NIPCIP VICTIM CONTACTED/INTERVIEWED
ITU: NIPCIP
Claimed By:
SSN: [REDACTED]
Name: [REDACTED]
Squad: Squad 11

b6
b7C

Number: 1
Type: NIPCIP SUBJECT TOOL/EXPLOIT/MALICIOUS CODE IDENTIFIED
ITU: NIPCIP
Claimed By:
SSN: [REDACTED]
Name: [REDACTED]
Squad: Squad 11

0791js05.542

◆◆

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 09/23/2002

To: Seattle

From: Seattle

Squad 11

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

M:mmm

Case ID #: [REDACTED]

(Closed)

Title: UNSUB;
MELISSA VIRUS;
Computer Intrusion

Synopsis: To claim appropriate accomplishment statistics.

Details: This communication serves to document the accomplishment associated with captioned case.

b3
b6
b7C
b7E

3

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
SEP 28 2002	
FBI SEATTLE	

b3
b7E

To: Seattle From: Seattle
Re: [REDACTED] 09/23/2002

b3
b7E

Accomplishment Information:

Number: 1
Type: NIPCIP VICTIM CONTACTED/INTERVIEWED
ITU: AGENT INTERVIEW
Claimed By:
SSN: [REDACTED]
Name: [REDACTED]
Squad: Squad 11

b6
b7C

◆◆

266mmm06.542